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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,770	11/05/2003	Shigeki Komori	244942US2	6344
22850	7590	11/22/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			ANYA, IGWE U	
1940 DUKE STREET			ART UNIT	
ALEXANDRIA, VA 22314			PAPER NUMBER	
			2825	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE**

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10/ 700,770

EXAMINER
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ART UNIT	PAPER
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11162004

DATE MAILED:

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**Commissioner for Patents**

A response to applicant's petition of August 4, 2004 is provided herein.



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United States Patent and Trademark Office  
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Paper No. 11162004

James D. Hamilton  
OBLON, SPIVAK, McCLELLAND,  
MAIER AND NEUSTADT, P.C.  
1940 Duke Street  
Alexandria, VA 22314

Appl No.: 10/700,770  
Inv: Komori  
Filed: November 5, 2003  
For: Manufacturing Method of a Semiconductor Device  
Capable of Accurately Setting a Resistance Value of a  
Resistance Element

**DECISION ON PETITION  
UNDER 37 CFR 1.181(a)(3)**

This is a decision on the applicant's "Petition to Compel Reconsideration by the Examiner of His Comments on the Statement of Reasons for Allowance" filed under 37 CFR 1.181(a)(3) filed August 4, 2004. The applicant requests that the Supervisor reconsider the statements by the Examiner conveyed in the Reasons for Allowance mailed July 2, 2004.

According to the MPEP Chapter 1300 and more particularly Section 1302, Applicant's comments on the Reasons for Allowance should be: a) submitted prior to the payment of the issue fee, and b) clearly labeled as "Comments on Statement of Reasons for Allowance". Both of these requirements have been met by the applicant's petition papers. Further, the pertinent portion of Section 1302 indicates that the applicant's Comments will be entered into the file in the appropriate manner. While the

examiner may review and comment on the submission, the examiner has no obligation to do so. After a careful review of the file, the prior art clearly does not show the claimed steps and in the sequence as recited in the claims; therefore, the petition to invoke supervisory authority is hereby **denied**.

Applicant's comments and this answer to applicant's petition will be placed into file and are noted by the examiner.

A handwritten signature in black ink, appearing to read "Matt Smith", written in a cursive style.

Matthew S. Smith

Supervisory Primary Examiner AU 2825

Technology Center 2800